

GEORGIA STATE BOARD OF LANDSCAPE ARCHITECTS

Board Meeting: July 25, 2007

A meeting of the Georgia State Board of Landscape Architects was held on Wednesday, July 25, 2007, at the Office of the Division Director, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia.

The following Board Members were present:

Michael W. Breedlove, Landscape Architect and Chairman
Jaydee Atkins Ager, Consumer Member
D. Chad Baker, Landscape Architect
Rebecca Kirk, Landscape Architect

Others present were:

Gwyn H. Ridley, Executive Director
Ruth Reece, Applications Specialist
Marie S. Urquhart, Board Secretary
Janet Wray, Board Attorney – via videoconference
Bob Sise, Investigative Unit

Chairman Breedlove established that a quorum was present at 9:37 a.m. and called the meeting to order.

Ms. Ager made a motion to **approve** the minutes of the March 28, 2007 Board meeting.
Mr. Baker seconded the motion. The motion carried unanimously.

Ms. Kirk made a motion to enter into **Executive Session**, in accordance with O.C.G.A. 43-1-2(k) and 43-1-19(h) to deliberate on applications, investigations and to receive investigative reports.
Mr. Baker seconded the motion. Voting in favor of the motion were those members present who included Board members Ager, Baker, Breedlove, and Kirk. The Board concluded **Executive Session** in order to act on these matters and to continue with the public session.

Applications:

Ms. Ager made a motion to **approve** the following applications for examination, reciprocity, and reinstatement that met certification requirements. Mr. Baker seconded the motion. The motion carried unanimously.

Examination:

The following applicants were **approved** to take the L.A.R.E.:

Matthew John Horney
Erin Leigh Felterman
Thomas B. Nichols
D. Glenn Butler

GEORGIA STATE BOARD OF LANDSCAPE ARCHITECTS
Board Meeting: July 25, 2007

The following applicant was **disapproved** to take the L.A.R.E.:

Daniel Charles Holz

Reciprocity:

The following applicants were **approved** for licensure by reciprocity, pending passage of the Georgia Component section of the examination:

Charles A. Ashley
Michael D. Turner
Ellen Gail Wheeler
Charles Hamilton Strawter

The following applicant was **approved** for licensure by reciprocity and has passed the Georgia Component section of the examination:

Kevin Shelton Tate LA001483

Reinstatement:

The following applicants were **approved** for reinstatement of an expired license:

James D. Jacobi	LA001262
David Watson Judd, Jr.	LA000998
Dennis Blaine O'Brien	LA000979
Richard Adams Ballantyne	LA000713
Robert Andrew Cone	LA001151

The following applicants were **disapproved** for reinstatement of an expired license:

Susan S. Howard
Howell F. Beach, III

Temporary Licensure

The following applicant was **disapproved** for Temporary Licensure:

Richard C. Burck

Landscape Architects Licensed Since the Last Review:

The Board reviewed the following list of Landscape Architects licensed since the last review. Mr. Baker made a motion to **approve** the list. Ms. Kirk seconded the motion. The motion carried unanimously.

GEORGIA STATE BOARD OF LANDSCAPE ARCHITECTS

Board Meeting: July 25, 2007

License Number	Name	License Date	License Method
LA001477	Keith Eldridge Hightower	04-17-07	Examination
LA001478	William Justin Greer	04-26-07	Examination
LA001479	Jessica Webb Ezzell	05-09-07	Examination
LA001480	Jennifer A. Preston	05-11-07	Examination
LA001481	Kimberly E. Cunningham	05-18-07	Examination
LA001482	Charles Richardson	06-26-07	Examination

The Board approved the following Late Renewal with a cautionary note that the Continuing Education hours submitted cannot be used toward his 2008 renewal:

David John Devictor

LA000630

Written Requests:

Joan E. Whitacre: After reviewing information provided, Mr. Baker made a motion to **disapprove** a request for an extension to complete continuing education requirements. The licensee must apply for reinstatement. Ms. Ager seconded the motion. The motion carried unanimously.

Lana V. Salter: After reviewing information provided, Ms. Kirk made a motion to **approve** the request for a refund of examination fees from CLARB. Ms. Ager seconded the motion. The motion carried unanimously.

Investigative Unit Report:

The Board received a report from the Investigative Unit:

LA070001: After receiving a report from the Investigative Unit, Ms. Ager made a motion to close the case with Letters of Concern. Ms. Kirk seconded the motion. The motion carried unanimously.

Examination Unit:

After reviewing a request from the Examination Unit, Mr. Baker made a motion to **approve** the request for six (6) hours of continuing education credits for the Subject Matter Experts (SME) that participated in the May 31, 2007 Workshop. Ms. Kirk seconded the motion. The motion carried unanimously.

Executive Director's Report:

The Executive Director updated the Board on the following items:

- Newsletter
- Enforcement Changes
- FY08 Board Travel – Mr. Baker made a motion to designate Mr. Breedlove and Ms. Kirk to attend the CLARB Annual Conference in Cleveland, Ohio on September 6-8, 2007, with Ms. Kirk as the voting delegate. Ms. Ager seconded the motion. The motion carried unanimously.

GEORGIA STATE BOARD OF LANDSCAPE ARCHITECTS

Board Meeting: July 25, 2007

Mr. Baker made a motion to designate Ms. Ager as alternate voting delegate to the conference. Ms. Kirk seconded the motion. The motion carried unanimously.

- Staff Transition
- Application Revisions – Citizenship Information
- Rules Revisions

Correspondence and Items of Information:

Michael O’Sullivan: The Board reviewed correspondence regarding the upcoming legislative session.

William T. Stone: After reviewing correspondence regarding clarification of services in Georgia by an out-of-state firm, the Board advised that the Georgia Registered Landscape Architect must reside in Georgia, physically be located in the Georgia office, and must hold a current Georgia Landscape Architect license.

Paul Brickey: The Board reviewed correspondence regarding the term “Golf Course Architect”. The Board advised that a Georgia registered design professional would be required for any land disturbing activities, and also would not be allowed to prepare storm water design or represent themselves as a licensed professional in Georgia without being licensed.

The Board reviewed other correspondence and information that did not require a vote or action.

CLARB:

Elizabeth Isbell: After reviewing correspondence regarding the content of acceptable continuing education activity, the Board concurred that all continuing education courses approved by CLARB are acceptable and meet the continuing education requirements.

MNGWPD:

After reviewing correspondence regarding storm water model ordinances, Ms. Ager made a motion for the Board Chairman to prepare a response. Mr. Baker seconded the motion. The motion carried unanimously.

Policy:

Ms. Kirk made a motion that after the Board has reviewed and approved reinstatement applications pending submission of additional information, the administrative staff has the authority to **approve** such applications following receipt of necessary additional information. Ms. Ager seconded the motion. The motion carried unanimously.

Propose to Adopt Rule 310-2-.01(6):

At its meeting on July 25, 2007, the Landscape Architects Board voted to post 310-2-.01(6). The Board discussed revisions to its rules and considered modifications to Rule 310-2-.01(6).

GEORGIA STATE BOARD OF LANDSCAPE ARCHITECTS

Board Meeting: July 25, 2007

Ms. Ager made a motion to propose adoption of these rules and to post and hold a public hearing to receive comments regarding the proposed rules and to consider adoption of the rules following the public hearing. In its consideration of the proposed rules, the Board stated that the formulation and adoption of these rules do not impose additional regulatory cost on any licensee that cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the statutes that are the basis for the proposed rules. Further, the Board stated that it is not legal or feasible to meet the objectives of these statutes to adopt or implement differing actions for business as listed in O.C.G.A. Section 50-13-4(a)(3)(A)(B)(C) and (D) and that the formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned, and operated and dominant in the field of Landscape Architects. Ms. Kirk seconded the motion. The motion carried unanimously.

Propose to Adopt Rule 310-9-.04(1):

At its meeting on July 25, 2007, the Landscape Architects Board voted to post 310-9-.04(1).

The Board discussed revisions to its rules and considered modifications to Rule 310-9-.04(1).

Ms. Kirk made a motion to propose adoption of these rules and to post and hold a public hearing to receive comments regarding the proposed rules and to consider adoption of the rules following the public hearing. In its consideration of the proposed rules, the Board stated that the formulation and adoption of these rules do not impose additional regulatory cost on any licensee that cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the statutes that are the basis for the proposed rules. Further, the Board stated that it is not legal or feasible to meet the objectives of these statutes to adopt or implement differing actions for business as listed in O.C.G.A. Section 50-13-4(a)(3)(A)(B)(C) and (D) and that the formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned, and operated and dominant in the field of Landscape Architects. Mr. Baker seconded the motion. The motion carried unanimously.

Other Business:

Mr. Breedlove updated the Board on the May 30, 2007 meeting with Karen Handel and the Chairmen of the Professional Licensing Boards (PLB).

In accordance with Secretary of State Karen Handel's request, Ms. Ager made a motion to designate Mr. Breedlove as the Board's contact for the Secretary of State relative to press concerns. Ms. Kirk seconded the motion. The motion carried unanimously.

There was no further business and the meeting was adjourned at 1:34 p.m.

Marie S. Urquhart

Recorded by Board Secretary

Gwyn H. Ridley

Reviewed by Executive Director

Michael W. Breedlove

Chairman

Landscape Architects

These minutes were approved on September 12, 2007

These minutes were signed on September 12, 2007

GEORGIA STATE BOARD OF LANDSCAPE ARCHITECTS

Board Meeting: July 25, 2007

Attachment

STATE OF GEORGIA

COUNTY OF BIBB

**AFFIDAVIT SUPPORTING CLOSING
OF PUBLIC MEETING**

The Georgia Open Meetings Act, O.C.G.A. § 50-14-1 et seq., requires that all meetings of an entity covered by the statute must be open to the public unless there is some specific statutory exception which permits the closing of the meeting. If such a meeting is to be closed, the law requires that the presiding person execute a sworn affidavit stating that the subject matter of the meeting or the closed portion thereof was devoted to matters within the statutory exceptions and identifying those specific exceptions relied upon. O.C.G.A. § 50-14-4(b). A copy of this affidavit must be filed with the minutes of the meeting in question.

Comes now Michael W. Breedlove, the presiding officer

identified below and, before an official duly authorized to administer oaths, makes this affidavit in satisfaction of the statutory requirements outlined above.

1. I am the presiding officer of the GEORGIA STATE BOARD OF LANDSCAPE ARCHITECTS.
2. I am over the age of 18 and in all over aspects competent to make this sworn statement. I acknowledge that I am giving this statement under oath and penalty of perjury and that I have read the contents of this affidavit prior to signing it.
3. On July 25, 2007 this entity, which is subject to the Open Meetings Act, met. A majority of the quorum of the members present voted to close the meeting or a portion thereof for the following indicated reason(s). I hereby certify that during the closed portion of the meeting, only those subjects indicated below were discussed. I also certify that I have reviewed the exceptions provided under the Open Meetings Act that may permit the closing of a meeting and that, to the best of my knowledge, the reasons I have described in detail below meet the requirements for closing this public meeting.

GEORGIA STATE BOARD OF LANDSCAPE ARCHITECTS
Board Meeting: July 25, 2007

4. The legal authority for the closure of this meeting was:

OCGA 43-1-2 (k); 43-1-19(h)

5. The subject(s) discussed and the underlying facts supporting the closing of this meeting are:

RECEIPT OF AND DELIBERATIONS REGARDING APPLICATIONS
AND APPLICATION INFORMATION AND DELIBERATIONS
REGARDING INVESTIGATIONS AND ENFORCEMENT MATTERS;
RECEIPT OF THE RESULTS OF INVESTIGATIONS.

FURTHER THE AFFIANT SAYETH NOT.

Michael W. Breedlove
PRESIDING OFFICER

SWORN AND SUBSCRIBED BEFORE ME

This 25th day of July , 2007

Marie S. Urquhart
Notary Public